

FREE RECORDING-

Exempt Pursuant to
Government Code 103

372757

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Colleen J. Nicol, CMC
City Clerk's Office
City Hall, 3900 Main Street
Riverside, CA 92522

RECEIVED FOR RECORD
AT 8:00AM

SEP 02 1998

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ _____

AND WHEN RECORDED MAIL TO:

Colleen J. Nicol, CMC
City Clerk's Office
City Hall, 3900 Main Street
Riverside, CA 92522

THIS SPACE FOR RECORDER'S USE ONLY

VC-002-967 (PHASE VII)

14315

RESOLUTION NO. 19128

Title of Document

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 19096; RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY INCLUDING ANY IN-PLACE PUBLIC UTILITY FACILITIES THAT ARE IN USE AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING THAT PORTION OF TOMLINSON AVENUE LOCATED SOUTHERLY OF CALIFORNIA AVENUE AND SOUTHEASTERLY OF THE OLD INTERSECTION OF ALCAZAR AVENUE AND TOMLINSON AVENUE.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3.00 Additional Recording Fee Applies)

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RESOLUTION NO. 19128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 19096; RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY INCLUDING ANY IN-PLACE PUBLIC UTILITY FACILITIES THAT ARE IN USE AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING THAT PORTION OF TOMLINSON AVENUE LOCATED SOUTHERLY OF CALIFORNIA AVENUE AND SOUTHEASTERLY OF THE OLD INTERSECTION OF ALCAZAR AVENUE AND TOMLINSON AVENUE.

WHEREAS, on June 3, 1997, the City Council of the City of Riverside in Vacation Case No. VC-002-967 adopted Resolution No. 19096 declaring its intention to order the vacation of portions of Collett Avenue, Tomlinson Avenue, Clara Vista Lane, Selkirk Avenue, Mariposa Avenue, Alcazar Avenue, Lionhead Avenue, Harrison Street and California Avenue relating to the completion of the California Avenue Extension Project from Van Buren Boulevard to Polk Street within the City of Riverside, California and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed project would not have a significant adverse affect

1 on the environment and that the City Council should adopt a
2 Negative Declaration, and that Vacation Case VC-002-967 should be
3 approved subject to all staff conditions; and

4 WHEREAS, notice of hearing before the City Council on
5 said resolution of intention was duly given as provided by said
6 Public Streets, Highways, and Service Easements Vacation Law; and

7 WHEREAS, the recommendations of the Planning Commission
8 were submitted to the City Council for consideration together with
9 the testimony, whether oral or in writing, presented at the public
10 hearing before said City Council; and

11 WHEREAS, a condition in Vacation Case VC-002-967 as
12 approved by the Planning Commission authorized the case to proceed
13 in a phased manner allowing for adoption of individual
14 resolutions; and

15 WHEREAS, the City Council heard and found and determined
16 from all of the evidence submitted to said Council on the day
17 fixed for the hearing that the portion of Tomlinson Avenue
18 consisting of a generally triangularly shaped portion that is
19 approximately 80 feet long with a variable width up to about 50
20 feet located southerly of California Avenue and southeasterly of
21 the old intersection of Alcazar Avenue and Tomlinson Avenue was
22 unnecessary for present or prospective public use; and

23 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by
24 the City Council of the City of Riverside, California, as follows:

25 Section 1: That the vacation of the portion of Tomlinson
26 Avenue consisting of a generally triangularly shaped portion that
27 is approximately 80 feet long with a variable width up to about 50

1 feet located southerly of California Avenue and southeasterly of
2 the old intersection of Alcazar Avenue and Tomlinson Avenue in
3 Vacation Case VC-002-967 is undertaken pursuant to the provisions
4 of and in accordance with the procedures set forth in the Public
5 Streets, Highways, and Service Easements Vacation Law and that all
6 notices required thereby have been duly given.

7 Section 2: That from all of the evidence submitted to
8 the City Council at the public hearing before it on Vacation
9 Case VC-002-967, whether such evidence was oral or in writing,
10 together with the recommendations from the Planning Commission,
11 the hereinafter described portion of **Tomlinson Avenue** ordered
12 vacated is unnecessary for present or prospective public use as a
13 public street.

14 Section 3: That the proposed project will not have a
15 significant adverse effect on the environment and adopts a
16 Negative Declaration.

17 Section 4: That the portion of **Tomlinson Avenue**
18 consisting of a generally triangularly shaped portion that is
19 approximately 80 feet long with a variable width up to about 50
20 feet located southerly of California Avenue and southeasterly of
21 the old intersection of Alcazar Avenue and Tomlinson Avenue within
22 the City of Riverside, California and described in the document
23 attached hereto, marked Exhibit A, and by this reference made a
24 part hereof, be and the same is hereby ordered vacated.

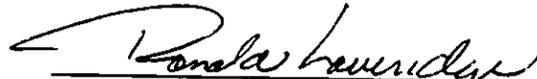
25 Section 5: That the public convenience and necessity
26 requires the exception of the following easements and rights-of-
27 way from the vacation hereinabove ordered: (a) an easement for,

1 and right to construct, maintain, operate, replace, remove and
2 renew, **sanitary sewers** and appurtenant structures; and (b) an
3 easement, and right to construct, maintain, operate, replace,
4 remove, renew and enlarge lines of pipe, conduits, cables, wires,
5 poles, and other convenient structures, equipment and fixtures,
6 for the operation of **gas line** facilities. That the public
7 convenience and necessity require the exception and reservation
8 from the vacation of those easements and rights-of-way over, along
9 and across that portion of the public street ordered to be vacated
10 necessary to maintain, operate replace, remove or renew any in-
11 **place public utility facilities** that are in use and not otherwise
12 excepted and reserved hereinabove.

13 Section 6: That the vacation, termination and
14 abandonment of that portion of the public street described in
15 Exhibit A shall occur only after the applicable conditions
16 contained in the Planning Department's report to the legislative
17 body and on file with the City Clerk as approved or amended by the
18 City Council have been satisfied, and the City Clerk is hereby
19 directed not to record this resolution of vacation until the
20 applicable conditions have been satisfied.

21 Section 7: That the City Clerk of the City of Riverside
22 shall cause a certified copy of this resolution to be recorded in
23 the Office of the County Recorder of Riverside County, California,
24 upon the satisfaction of the applicable conditions, and the
25 portion of the street described in Exhibit A shall no longer
26 constitute a public street from and after said date of
27 recordation.

ADOPTED by the City Council and signed by the Mayor and
attested by the City Clerk this 8th day of July, 1997


Mayor of the City of Riverside

Attest:


City Clerk of the City of Riverside

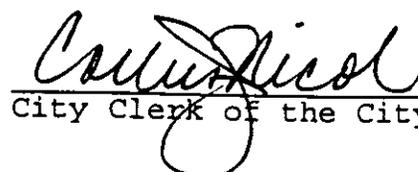
I, Colleen J. Nicol, City Clerk of the City of Riverside,
California, hereby certify that the foregoing resolution was duly
and regularly introduced and adopted at a meeting of the City
Council of said City at its meeting held on the 8th day of
July, 1997, by the following vote, to wit:

Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Clifford,
Thompson and Pearson.

Noes: None.

Absent: None.

IN WITNESS WHEREOF I have hereunto set my hand and
affixed the official seal of the City of Riverside, California,
this 8th day of July, 1997.


City Clerk of the City of Riverside

BP/bp
07/03/97

EXHIBIT A
VC-002-967 CALIFORNIA AVENUE EXTENSION
Tomlinson Avenue; @ Alcazar Avenue

That portion of Tomlinson Avenue as shown on a map of La Granada on file in Map Book 12, pages 42 through 51 records of Riverside County California and **BOUNDED AS FOLLOWS:**

ON THE WEST by a line parallel with and 44.00 feet southeasterly as measured at right angles from the following described line:

BEGINNING at the intersection of the centerline of Tyler Street with the northeasterly prolongation of the centerline of California Avenue all as shown by map on Tract No. 8006, on file in Book 94, Pages 59 through 63 of Maps, records of said Riverside County;

THENCE North $57^{\circ}55'23''$ East, along said northeasterly prolongation of the centerline of California Avenue, a distance of 281.62 feet to the beginning of a tangent curve concave southeasterly and having a radius of 680.00 feet;

THENCE northeasterly to the right along said curve through a central angle of $37^{\circ}21'40''$ an arc length of 443.41 feet to a line parallel with and distant 19.00 feet southerly, as measured at right angles, from the centerline of Tomlinson Avenue as shown by map of La Granada, on file in Book 12, Pages 42 through 51 of Maps, records said Riverside County;

THENCE South $84^{\circ}42'57''$ East, along said parallel line, a distance of 440.99 feet to the beginning of a tangent curve concave northerly and having a radius of 680.00 feet;

THENCE easterly to the left along said last mentioned curve through a central angle of $45^{\circ}04'24''$ an arc length of 534.94 feet;

THENCE North $50^{\circ}12'39''$ East, a distance of 698.12 feet to the beginning of a tangent curve concave northwesterly and having a radius of 680.00 feet;

THENCE northeasterly to the left along said last mentioned curve through a central angle of $16^{\circ}21'13''$ an arc length of 194.09 feet;

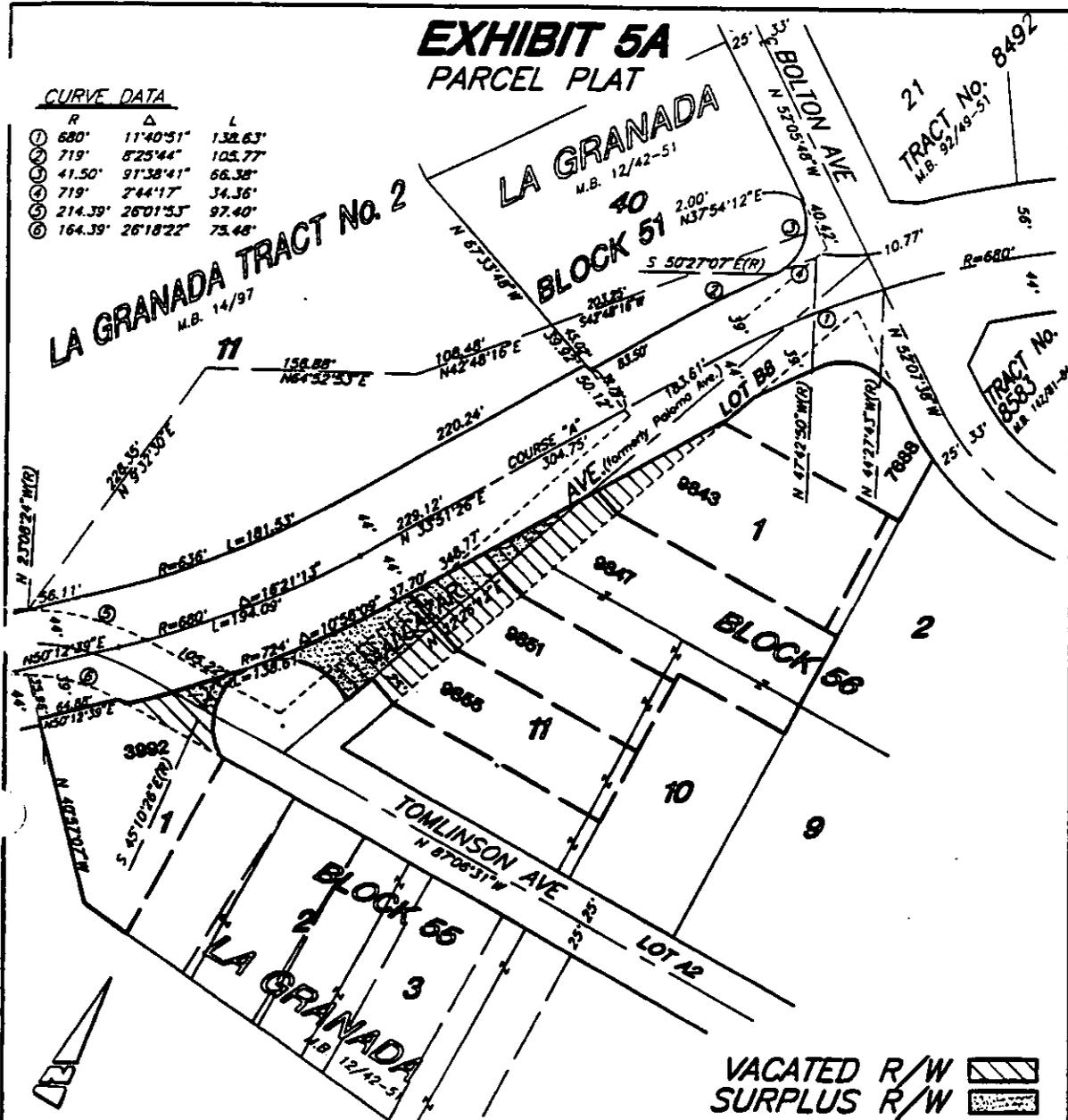
THENCE North $33^{\circ}51'26''$ East, a distance of 304.75 feet to the beginning of a tangent curve concave southeasterly and having a radius of 680.00 feet; said curve also being the southwesterly prolongation of the centerline California Avenue as shown by map of Tract No. 8492, on file in Book 92, Pages 49 through 51 of Maps, records of said Riverside County;

THENCE northeasterly to the right along said last mentioned curve and along said

EXHIBIT 5A PARCEL PLAT

CURVE DATA

R	Δ	L
680'	11°40'51"	132.63'
719'	8°25'44"	105.77'
41.50'	97°38'41"	66.38'
719'	2°44'17"	34.36'
214.39'	26°01'53"	97.40'
164.39'	26°18'22"	75.48'



• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SCALE: 1"=N.T.S. DRAWN BY: Kgp DATE: 1/7/97 SUBJECT: CALIFORNIA AVENUE EXTENSION - VACATIONS

65-5

THE FOREGOING INSTRUMENT IS CERTIFIED, UNDER PENALTY OF PERJURY, TO BE A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Colleen Nicol
 City Clerk of the City of Riverside, California
 Executed on September 1, 19 98, at
 Riverside, California